

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JACK HOWARD STOCKFORD,

Defendant-Appellant.

UNPUBLISHED

June 30, 2000

No. 217940

Oscoda Circuit Court

LC No. 94-000468-FH

Before: Jansen, P. J., and Hood and Saad, JJ.

MEMORANDUM.

Defendant appeals as of right from the circuit court order that found him guilty of violating probation, resulting in revocation of his probation. Defendant was sentenced to serve 30 to 48 months in prison on his underlying conviction of larceny in a building, MCL 750.360; MSA 28.592. We affirm.

On appeal, defendant argues that the trial court's findings at the probation violation hearing were against the great weight of the evidence. We disagree.

After reviewing the record, we conclude that the trial court's findings of fact and conclusions of law were made in accordance with MCR 6.445(E)(1) and MCR 6.403. The probation violation charges were sufficiently established by the testimony of witnesses at the hearing. Although defendant denied the charges, such conflicting evidence and credibility questions are properly decided by the trial court, sitting as trier of fact. The court's factual findings indicate that it was aware of the issues in the case and correctly applied the law.

Affirmed.

/s/ Kathleen Jansen

/s/ Harold Hood

/s/ Henry William Saad